

CERTIFICATE OF PUBLICATION

From THE NEWS-POST

Frederick, Md.

ASSIGNEE'S SALE

OF IMPROVED REAL PROPERTY

located in Brunswick, Frederick County, Maryland, located at the intersection of Maryland Avenue and Potomac Street.

Under a power of sale contained in a mortgage from George Dewey Heffner and Rebecca Faye Heffner, his wife, unto Farmers and Mechanics National bank dated July 15, 1977, said mortgage being recorded at Book 1024, page 678, one of the Land Records of Frederick County, with said mortgage being in default and having been assigned unto the undersigned assignee for foreclosure, the undersigned will offer for sale at public auction at the clock tower of the Frederick County Courthouse located at the intersection of Court Street and West Patrick Street in Frederick City, on

TUESDAY, JANUARY 31, 1984

AT 10:00 A.M.

all the following real estate and improvements containing 13,753 square feet, more or less, being subject to the above mortgage:

"For metes and bounds description see January 13, 1984 Frederick News-Post, or the above mortgage, or contact Assignee's office."

EXPRESSLY RESERVING AND RETAINING, HOWEVER, unto the said Frances E. Kaplon, Myer Kaplon and Abraham I. Kaplon, their Personal Representatives, heirs and assigns, the right to use, in common with the owner of the herein described property, the gravel driveway 10 feet, more or less, wide, leading from the south side of West Potomac Street for purpose of ingress and egress to the garage located in the rear of the property known as 11 South Maryland Avenue.

BEING all of that property conveyed unto George D. Heffner by deed from Frances E. Kaplon, Myer Kaplon and Abraham I. Kaplon dated March 8, 1977, and recorded at Book 1012, page 39, one of the Land Records aforesaid.

The property to be foreclosed is improved with a 3-story brick, commercial building with a street address of 102-108 West Potomac Street (formerly known as the Kaplon Building) with a full basement. The basement level consists of approximately 3,500 square feet with interior concrete block walls and street level access. The first floor (street level) has wood floors, drywall and paneled walls and a metal ceiling with a half-bath, with the remaining two floors being of similar construction. The top three floors have an average of about 3,500 square feet each. The building's roof is metal and built-up tar composition and the building has fairly new plumbing facilities and has some recently installed heating and cooling systems of central air and heat. Heat is forced air, oil fired. For some time this property was used for the operation of a business known as "Dewey's Home Furnishings" and the operation of a local Western Auto store. Part of the property subject to the mortgage consists of vacant lots adjacent to the building which could serve as off-street parking (access off of Potomac Street). The property and improvements are being sold "as is" with no guarantee or warranty concerning the condition thereof and pursuant to the description contained in the aforesaid mortgage, and the successful purchaser will be buying such property in total, regardless of deficiency or surplus in actual computed area.

Frederick, Md.

This is to certify that the annexed

Sale

was published in

Assignee's News-Post

a newspaper published in Frederick County on the following

dates:

Jan. 20, Jan. 27

THE NEWS-POST

Per

M. Main

0131002

TERMS OF SALE: A deposit of \$9,500.00 of the sale price will be required of the purchaser at the time and place of sale in the form of cashier's, certified or other check acceptable to Assignee, payable or endorsed to the Assignee. The balance of the purchase price shall be paid within 15 business days of the ratification of the sale by the Circuit Court for Frederick County, Maryland, with interest to be paid on the unpaid balance of the purchase price from the date of auction sale to the date of final settlement at the rate of 10.0% per annum. Taxes and other public charges and assessments shall be adjusted for current year payment to date of sale and assumed thereafter by the purchaser. All settlement related costs and recordation costs of any nature including, but not limited to, transfer taxes, state stamps, survey expense (if any), settlement fees, recording costs, document preparation and title search, shall be paid by the purchaser. Assignee reserves the right to withdraw the herein described property from sale at any time. In the event of default, the Assignee reserves the right to declare as forfeited the deposit of purchaser as liquidated damages or to resell the property at the purchaser's risk. The property herein is being sold subject to all Federal, State and County laws and ordinances which may affect the property and/or its use, as well as all easements, restrictions, covenants, conditions and other matters of record which may be superior to the mortgage being foreclosed.

NOTE: For additional information, contact the Assignee or Auctioneer.

JOSEPH S. WELTY

Assignee

117 West Patrick Street

P.O. Box 688

Frederick, Maryland 21701

RICHARD R. BURGEE

Attorney for Assignee

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662-5155

DELBERT NULL

Auctioneer

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Frederick, Maryland 21701

662-6161

Filed Jan. 31, 1984